IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 7577 of 2005

For Approval and Signature:

THE HON'BLE MR.JUSTICE SHARAD D.DAVE

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1	Whether Reporters of Local Papers may be allowed to see the judgment ?
2	To be referred to the Reporter or not ?
3	Whether their Lordships wish to see the fair copy of the judgment ?
4	Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?
5	Whether it is to be circulated to the civil judge ?

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ASIKALI @ SONU NAZIMALI SHAIKH - Petitioner(s)

Versus

COMMISSIONER OF POLICE VADODARA CITY &3 - Respondent(s)

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Appearance :

MR BC DAVE for Petitioner No(s).: 1.

RULE SERVED for Respondent No(s).: 1,2.

Mr.P.D.Bhate, AGP for Respondent No(s).: 3.

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CORAM :THE HON'BLE MR.JUSTICE SHARAD D.DAVE

Date : 27/06/2005

ORAL JUDGMENT

1. By filing this petition, the petitioner detenu has challenged the detention order dated 01.04.2005 passed by the Police Commissioner, Vadodara City in exercise of the powers conferred upon him under sub-section (2) of Section 3 of the Gujarat Prevention

Anti-Social Activities Act, 1985 (“the Act” for short), as, the “dangerous person” and is required to be detained under the preventive detention, so that, he may not continue with such type of illegal activities.

2. Along with the detention order, the detenu was also served with the grounds of detention of the same date. In the said grounds, there is a reference to three criminal cases which are filed under the Indian Penal Code.
3. Learned advocate appearing on behalf of the petitioner detenu has submitted that there is delay in passing the detention order against the petitioner. The last offence was registered against the petitioner on 13.1.2005 and the detention order came to be passed on 01.04.2005. Learned advocate appearing for the petitioner has relied upon the decision of this court in the case of Elesh Nandubhai Patel V/s Commissioner of Police, 1997(1) GLH 381, wherein this Court has observed as under in paragraph 21 :

(SHARAD D DAVE, J)

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